



**STATE OF NEVADA**  
**COMMISSION ON ETHICS**  
<http://ethics.nv.gov>

**Wednesday, April 12, 2006**  
**8:30 a.m.**

**Boardroom of the State of Nevada Gaming Control Board**  
**Grant Sawyer Building**  
**555 E. Washington Avenue, Room #2640**  
**Las Vegas, Nevada 89101**

**MINUTES**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.  
A verbatim transcript of the open session proceedings, prepared by a certified court reporter,  
is available for inspection at the Commission offices in Carson City and Las Vegas.

**Commission Members Present:**

Caren Jenkins, Esq., Chairman; Randall Capurro;  
Timothy Cashman; William Flangas; Rick Hsu, Esq.;  
Mark A. Hutchison, Esq., Vice Chairman;  
George Keele, Esq.; Jim Kosinski, Esq.

**Commission on Ethics Staff Present:**

Adriana G. Fralick, Esq., General Counsel  
Matt Di Orio, Senior Investigator  
Tami DeVries, Research Analyst

**Others Present:**

Neil A. Rombardo, Senior Deputy Attorney General  
Candice Trummell  
Media representatives  
Members of the General Public

Chairman Jenkins called the meeting to order at 8:38 a.m., Wednesday, April 12, 2006.

Agenda Item 1 – Open session to approve the minutes of the March 9, 2006 and March 20, 2006 Commission meetings

Chairman Jenkins opened the agenda item to approve the minutes of the March 9, 2006 and March 20, 2006 Commission meetings. Commissioner Keele made a motion to approve the minutes. Commissioner Capurro seconded the motion. The motion was put to a vote and passed unanimously.

Agenda Item 2 – Request for Opinion 05-18

Open session to hear testimony, receive evidence, deliberate, and render an opinion relating to a Request for Opinion submitted pursuant to NRS 281.511, Subsection 2(b), alleging that certain conduct of Candice Trummell, Chairman, Nye County Commission, violated the provisions of NRS 281.501(2) and NRS 281.501(4).

Chairman Jenkins opened the agenda item and announced that this item was no longer being considered because Ms Trummell's counsel submitted in a timely manner a motion to dismiss the request for opinion. She made it known that on the 5<sup>th</sup> day of April she, the Chairman of the Commission, issued an order granting Ms. Trummell's motion to dismiss Request for Opinion No. 05-18.

Agenda Item 3 - Open session, Request for Opinion 06-04

Open session to hear testimony, receive evidence, deliberate, and render an opinion relating to an Advisory Opinion Request submitted by Candice Trummell, Chairman, Nye County Commission, pursuant to NRS 281.511(1). (Confidentiality Waived)

Chairman Jenkins opened this agenda item by announcing this was the matter that had come before us at our last commission hearing, which was initially a confidential request for opinion. However, at the last meeting, Ms. Trummell confirmed a waiver of confidentiality, which caused this item to be re-agendized as an open session at the April meeting. After the agenda had been re-posted, Ms. Trummell withdrew her request for opinion. As a result, the Commission took no action under Agenda Item 3.

Agenda Item 4 – Closed Session pursuant to NRS 241.015, Subsection 2(b)(2)

Closed Session pursuant to NRS 241.015, Subsection 2(b)(2), to confer with Legal Counsel regarding pending litigation in which the Commission has supervision, control, jurisdiction, or advisory power; and, if necessary, to deliberate toward a decision on the matter.

#### Agenda Item 5 – Open Session

Open session to discuss and take action regarding interpretation of the provisions of NRS 281.511(3) and NRS 281.511(4) as it relates to statutory timeframes for the investigation and hearing of requests for opinion (ethics complaints).

Chairman Jenkins opened this agenda item. She advised the commission that due to the numerous discussions of the commission, as well as various other circumstances and occurrences, she was prepared to make a motion. Chairman Jenkins moved to add to the Commission's legislative package for the 2007 legislative session a request for a bill draft modifying NRS 281.511(3) and (4), to add the concept of statutory time frame should be amended to allow a waiver of time limits on the commission for good cause shown. She suggested adding permission for the Commission, for good cause shown, to extend the time frames to complete an investigation, and to hold a hearing on an ethics complaint. Commissioner Kosinski seconded the motion. The motion was put to a vote and passed unanimously.

#### Agenda Item 6 – Request for Opinion 06-05

Closed session pursuant to NRS 281.511(5) to hear testimony, receive evidence, deliberate, and render an opinion relating to a confidential Advisory Opinion Request submitted pursuant to NRS 281.511(1).

#### Agenda Item 7 – Request for Opinion 06-09

Closed session pursuant to NRS 281.511(5) to hear testimony, receive evidence, deliberate, and render an opinion relating to a confidential Advisory Opinion Request submitted pursuant to NRS 281.511(1).

#### Agenda Item 8 – Open session for public comment

Chairman Jenkins opened the agenda item for public comment.

Ms. Candice Trummell thanked the Chairman for granting the motion to dismiss. She further commented on the action taken in Agenda item 5, regarding statutory time frames, and the burden placed on elected officials. She expressed concern that without definite time lines the complaint, investigation and hearing process could drag on, while the public official has to pay legal counsel, or is taken away from their duties, and they can not recoup their attorneys fees or costs.

Mr. Ronald Trummell also commented on the action taken in agenda item 5. He expressed his concerns about the vote, and stated that although he understood the Commission's reasoning, and

appreciated the pressures, he could not think of any existing statute that leaves open-ended time frames.

Hearing no other comments, Chairman Jenkins closed the agenda item.

Chairman Jenkins adjourned the meeting at 2:18 p.m.

Minutes transcribed by:

Minutes approved May 19, 2006

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Emily H. Nunez, Office Manager

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Caren Jenkins, Esq., Chairman